

Remarks/Arguments

This paper is submitted responsive to the office action mailed November 25, 2008. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

In the action, the Examiner objected to the specification due to the use of trademarks in paragraph [0002]. This use has been corrected to clearly show that the terms are trademarks, and to include the common or generic class of goods which are represented by those trademarks.

Claim 7 has been amended to address the Examiner's objection.

Claim 3 has been cancelled without prejudice thereby rendering the rejection under 35 USC 112, second paragraph moot.

New claims 11-15 have been added and correspond to subject matter of original claims 6 and 7 which was presented in preferential format. No new matter has been added.

Claims 1-10 were rejected in the office action as anticipated by Shi. It is submitted that the claims as amended clearly define over Shi and all other art of record.

Shi does not disclose that a short-chain amylose is set to be as molecularly disperse as possible in a basic starch using cooking and mixing methods or that network formation is initiated via conditioning from a prepared state, wherein the food stuff has 2-70% short-chain amylose and

the foodstuff has network-linked mixed crystallites consisting of said short-chain amylose and said basic starch. Rather, Shi discloses using a starch that must be at least about 90% debranched to form short chains (col. 3, lines 45-50). Based upon the foregoing, it is submitted that Shi clearly fails to anticipate the subject matter of claim 1 as amended, and further that claim 1 is allowable over all art of record.

Dependent claims 2, 4 and 6-15 all depend directly or indirectly from claim 1 and are submitted to be allowable based upon this dependency, and also in their own right.

An earnest and thorough effort has been made to address all issues raised in the office action and to place the application in condition for allowance. If, upon considering this paper, the Examiner is of the opinion that issues remain which could be addressed by telephone interview, the Examiner is invited to telephone the undersigned to discuss and resolve same. It is believed that no fee is due in connection with this response. If any such fee is due, please charge same to Deposit Account 02-0184.

Respectfully submitted,

Date Feb. 25, 2009

By /George A. Coury/
George A. Coury
Attorney for Applicants
Bachman & LaPointe, P.C.
900 Chapel Street
Suite 1201
New Haven, CT 06510
Reg. No. 34,309
Tel: (203) 777-6628
Fax: (203) 865-0297